

**UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**IN RE: NATIONAL PRESCRIPTION  
OPIATE LITIGATION**

THIS DOCUMENT RELATES TO:

*The County of Summit, Ohio, et al. v.  
Purdue Pharma L.P., et al.,*  
Case No. 18-op-45090

*The County of Cuyahoga, Ohio, et al. v.  
Purdue Pharma L.P., et al.,*  
Case No. 17-op-45004

MDL No. 2804

Case No. 1:17-md-2804

Judge Dan Aaron Polster

**Notice of Service of Reply in Support of Defendants'  
Motion to Exclude Opinions Offered by James Rafalski**

Pursuant to the Directions Regarding Filing of Briefs Under Seal, Dkt. 1719 and 1813, Defendants Purdue Pharma L.P., Purdue Pharma Inc., and The Purdue Frederick Company (Co-Liaison Counsel for the Manufacturer Defendants); Endo Health Solutions Inc. and Endo Pharmaceuticals Inc., Par Pharmaceutical, Inc. and Par Pharmaceutical Companies, Inc. (Co-Liaison Counsel for the Manufacturer Defendants); Cardinal Health, Inc. (Co-Liaison Counsel for the Distributor Defendants); AmerisourceBergen Drug Corporation (Co-Liaison Counsel for the Distributor Defendants); McKesson Corporation (Co-Liaison Counsel for the Distributor Defendants); and Walgreens (Liaison Counsel for the Chain Pharmacy Defendants) hereby provide notice that on August 16, 2019, they served unredacted copies of the following documents on all Parties, the Court, and the Special Masters:

- Reply in Support of Defendants' Motion to Exclude Opinions Offered by James Rafalski;
- Declaration of Katherine M. Swift in Support of Defendants' Motion to Exclude Opinions Offered by James Rafalski, including Exhibit 1; and
- Summary Sheet for Reply in Support of Defendants' Motion to Exclude Opinions Offered by James Rafalski (also attached hereto as Exhibit A).

Dated: August 16, 2019

Respectfully submitted,

***Defense Liaison Counsel***

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<sup>1</sup> Teva Pharmaceutical Industries Ltd., Allergan plc, and Mallinckrodt plc are respectively an Israeli corporation, Irish holding company, and an Irish company that are not subject to and contest personal jurisdiction for the reasons explained in their motions to dismiss for lack of personal jurisdiction. They are specially appearing to join this motion, and, thus, they do not waive and expressly preserve their personal jurisdiction challenges.

On June 10, 2019, Insys Therapeutics, Inc. and its affiliates each filed a voluntary case under chapter 11 of United States Bankruptcy Code in the United States Bankruptcy Court for the District of Delaware, which cases are being jointly administered under Case No. 19-11292 (KG). In light of this bankruptcy proceeding, Insys does not join any of the *Daubert* motions for summary judgment to be filed in the MDL Track One cases.

Noramco does not join this motion.

/s/ Shannon E. McClure

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**CERTIFICATE OF SERVICE**

I hereby certify that on this 16th day of August, 2019, a notice of the foregoing has been served via CM/ECF to all counsel of record, and copies have been served on the same by email.

/s/ Katherine M. Swift  
Katherine M. Swift

*Attorney for Walgreen Co. and Walgreen  
Eastern Co.*